

REMARKS

I. Status of Claims / Argument

Claims 1-16, 18-19, and 25-29, 31, 33, 35, 37, and 39-45 are pending in the application. Claims 30, 32, 34, 36, and 38 are now canceled without prejudice to the subject matter therein. Claims 29 and 40-45 have been withdrawn by the Examiner.

Each of the pending claims were rejected as obvious over various combinations of U.S. patents and published patent applications. Despite these rejections, and without waiving any argument, the undersigned submits that the pending claims are patentable over any proper combination of these cited references at least because the claims recite: (a) injecting a compressible fluid into the drum with a force sufficient to maintain the medical implant aloft in the drum (claims 1, 5, 7, 9, 19, and 25); (b) drawing a compressible fluid into the drum (claim 12); and (c) heating the compressible fluid and the rotatable drum (claim 13).

As to (a), the use of compressible fluid to maintain the medical implant aloft, the Office action cites to Forster (4,581,242) when rejecting corresponding language from claim 25. However, nowhere in Forster is there a discussion or suggestion to inject compressible fluids to maintain the implant aloft in the drum. The cited portion of Forster, (col. 1, lines 18-30; 42-50) is a background section that addresses how coated tablets may be dried with drying air or gas. Through this drying process, Forster notes that the objects being coated “will have a tendency to expand rather than densify the bed.” Thus, the tablets in Forster are not suspended or held aloft as contended by the Office action. Rather, they remain on top of one another, merely in a less dense state. Moreover, even if Forster did disclose or suggest suspending the tablets, there is no teaching that would properly combine this step with the other references to teach all the steps of the claimed inventions.

As to (b), drawing the compressible fluid into the drum, the Office action cites to several references when rejecting claim 12, which contains corresponding language, but does not identify any specific portion of any of the references relevant to drawing a fluid into a drum as in the claim. The undersigned submits that this language, as applied in the claims, is not taught by the references and requests specific citation to one or more reference if the rejection is maintained.

As to (c), the Office action cites to Roorda (US 2004/0261698; at 19); Lucke (USP 5,302,201; at col. 4:34-35), and Forster (col. 1:18-30 and 42-50) for allegedly disclosing the use of hot air for drying as in claim 13. However, none of these references disclose or suggest heating the compressible fluid and heating the rotatable drum as in the claim. Allegedly, in each case, the air is heated, however, nowhere is the additional affirmative step of heating the drum addressed. As taught in the applicant's disclosure (see ¶ 20), this additional step is not a mere design choice, rather than simply heating the air alone, as it may serve to better facilitate the drying of the coating.

II. Conclusion

In view of the above amendments and remarks, the application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper under 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,



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